

Senate Bill No. 84

Passed the Senate September 14, 2001

Secretary of the Senate

Passed the Assembly September 10, 2001

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of
_____, 2001, at _____ o'clock __M.

Private Secretary of the Governor



CHAPTER _____

An act to add Section 25403.8 to the Public Resources Code, and to amend Section 21800 of the Vehicle Code, relating to energy, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 84, Burton. State Energy Resources Conservation and Development Commission.

(1) Existing law requires the State Energy Resources Conservation and Development Commission to undertake and implement various programs regarding energy.

This bill would require the commission to develop and implement a program to provide battery backup power for those official traffic control signals that the commission, in consultation with cities, counties, or cities and counties, determines to be high priority traffic control signals. The bill would authorize the commission to grant 70% of the funds to a city, county, or city and county for backup battery power for traffic control signals retrofitted with light-emitting diodes. The bill would require the commission to give priority to a city, county, or city and county that did not receive a grant from the state for the installation of light-emitting diode traffic control signals.

The bill would authorize the commission to reimburse a city, county, or city and county that has installed a backup battery system for light emitting diode traffic signals between January 1, 2001, and the effective date of the bill, up to \$1,500,000.

The bill would make an appropriation by reallocating up to \$10,000,000 from specified existing state funds to the commission for the purpose of providing matching grants pursuant to the bill.

The bill would prohibit the commission from expending more than 5% of the amount available for expenditure for administrative costs in carrying out the grant program.

The bill would require the commission, by June 1, 2004, to submit a report to the Governor and the Legislature on the grant program expenditures and program activities.

(2) Existing law requires the driver of any vehicle approaching an intersection that has official traffic control signals that are



inoperative to stop at the intersection, and authorizes that driver to proceed with caution when it is safe to do so.

This bill would specify that those provisions shall apply to traffic control signals that become inoperative because of battery failure.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 25403.8 is added to the Public Resources Code, to read:

25403.8. (a) The commission shall develop and implement a program to provide battery backup power for those official traffic control signals, operated by a city, county, or city and county, that the commission, in consultation with cities, counties, or cities and counties, determines to be high priority traffic control signals.

(b) Based on traffic factors considered by cities, counties, or cities and counties, including, but not limited to, traffic volume, number of accidents, and presence of children, the commission shall determine a priority schedule for the installation of battery backup power for traffic control systems. The commission shall give priority to a city, county, or city and county that did not receive a grant from the State of California for the installation of light-emitting diode traffic control signals.

(c) The commission shall also develop or adopt the necessary technical criteria as to wiring, circuitry, and recharging units for traffic control signals. Only light-emitting diodes (LED) traffic control signals are eligible for battery backup power for the full operation of the traffic control signal or a flashing red mode. A city, county, or city and county may apply for a matching grant for battery backup power for traffic control signals retrofitted with light-emitting diodes.

(d) Based on the criteria described in subdivision (c), the commission shall provide matching grants to cities, counties, and cities and counties for backup battery systems described in this section in accordance with the priority schedule established by the commission pursuant to subdivision (b). The commission shall



provide 70 percent of the funds for a battery backup system, and the city, county, or city and county shall provide 30 percent.

(e) If a city, county, or city and county has installed a backup battery system for LED traffic control signals between January 1, 2001, and the effective date of the act adding this section, the commission may reimburse the city, county, or city and county for up to 30 percent of the cost incurred for the backup battery system installation. However, the commission may not spend more than one million five hundred thousand dollars (\$1,500,000) for reimbursements pursuant to this subdivision.

SEC. 2. Section 21800 of the Vehicle Code is amended to read:

21800. (a) The driver of a vehicle approaching an intersection shall yield the right-of-way to any vehicle which has entered the intersection from a different highway.

(b) (1) When two vehicles enter an intersection from different highways at the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on his or her immediate right, except that the driver of any vehicle on a terminating highway shall yield the right-of-way to any vehicle on the intersecting continuing highway.

(2) For the purposes of this section, “terminating highway” means a highway which intersects, but does not continue beyond the intersection, with another highway which does continue beyond the intersection.

(c) When two vehicles enter an intersection from different highways at the same time and the intersection is controlled from all directions by stop signs, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on his or her immediate right.

(d) (1) The driver of any vehicle approaching an intersection which has official traffic control signals that are inoperative shall stop at the intersection, and may proceed with caution when it is safe to do so. This subparagraph shall apply to traffic control signals that become inoperative because of battery failure.

(2) When two vehicles enter an intersection from different highways at the same time, and the official traffic control signals for the intersection are inoperative, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on his or her immediate right, except that the driver of any vehicle on a



terminating highway shall yield the right-of-way to any vehicle on the intersecting continuing highway.

(e) This section does not apply to any of the following:

(1) Any intersection controlled by an official traffic control signal or yield right-of-way sign.

(2) Any intersection controlled by stop signs from less than all directions.

(3) When vehicles are approaching each other from opposite directions and the driver of one of the vehicles intends to make, or is making, a left turn.

SEC. 3. (a) For the purpose of providing matching grants for backup battery systems for traffic control signals retrofitted with light-emitting diodes pursuant to Section 25403.8 of the Public Resources Code, the sum of ten million dollars (\$10,000,000) shall be reallocated to the State Energy Resources Conservation and Development Commission from funds appropriated in Chapter 8 of the Statutes of the 2001–02 First Extraordinary Session for the purposes of Article 4 (commencing with Section 15350) of Chapter 1 of Part 6.7 of Division 3 of Title 2 of the Government Code. The State Energy Resources Conservation and Development Commission may not expend more than 5 percent of the amount available for expenditure pursuant to this subdivision for administrative costs in carrying out the grant program.

(b) On or before June 1, 2004, the State Energy Resources Conservation and Development Commission shall submit a report to the Governor and the Legislature on the expenditures made pursuant to subdivision (a), including grant awards and program activities.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

Due to the shortage of electric generation capacity to meet the needs of the people of the state and in order to limit the impact of that shortage on the public health, safety, and welfare due to the nonoperation of traffic control signal lights during anticipated rotating blackouts, it is necessary that this act take effect immediately.



Approved _____, 2001

Governor

